

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

1

**The Minutes**

**May 7, 2001**

- C036524      THE PEOPLE v. SMITH, JR.      (Not for Publication)**  
The judgment is modified by reducing the victim restitution order to \$2,761.74. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect a victim restitution order of \$2,761.74 imposed pursuant to Penal Code section 1202.4, subdivision (f), and to forward a certified copy of the amended abstract to the Department of Corrections.  
                                 SCOTLAND, P.J.  
We concur:    Nicholson, J.  
                                 Morrison, J.
- C036672      THE PEOPLE v. MILLER      (Not for Publication)**  
The judgment is modified to provide defendant with the following credit against the sentence imposed for his felony conviction: 389 days of actual presentence custody credit and 194 days of conduct credit, for a total of 583 days of credit. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and to forward a certified copy of the amended abstract to the Department of Corrections.  
                                 SCOTLAND, P.J.  
We concur:    Nicholson, J.  
                                 Morrison, J.
- C037108      THE PEOPLE v. GILLIHAN      (Not for Publication)**  
The judgment is affirmed.  
                                 MORRISON, J.  
We concur:    Blease, Acting P.J.  
                                 Raye, J.
- C033172      YOUNG et al. v. RALEY’S, INC.      (Not for Publication)**  
The judgment is affirmed.  
                                 SCOTLAND, P.J.  
We concur:    Morrison, J.  
                                 Kolkey, J.
- C034900      In re DEONTRAY J.; DEPARTMENT OF HEALTH AND HUMAN  
SERVICES v. JAMES J. et al.      (Not for Publication)**  
The judgment of the juvenile court is reversed.  
                                 MORRISON, J.  
We concur:    Nicholson, J.  
                                 Callahan, J.

**COURT OF APPEAL  
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**The Minutes**

**May 8, 2001**

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|----------------|---|------------------------------|
| <b>C032941</b> | <b>THE PEOPLE v. MONZANO</b><br>The judgment is affirmed.<br>DAVIS, Acting P.J.<br>We concur: Raye, J.<br>Kolkey, J.  | <b>(Not for Publication)</b> |
| <b>C033530</b> | <b>THE PEOPLE v. MENG</b><br>The judgment is affirmed.<br>CALLAHAN, J.<br>We concur: Davis, Acting P.J.<br>Kolkey, J.   | <b>(Not for Publication)</b> |
| <b>C033791</b> | <b>THE PEOPLE v. KENGLA</b><br>The judgment (order of probation) is affirmed.<br>SCOTLAND, P.J.<br>We concur: Sims, J.<br>Raye, J.  | <b>(Not for Publication)</b> |
| <b>C033824</b> | <b>THE PEOPLE v. NUNEZ</b><br>The judgment is affirmed.<br>CALLAHAN, J.<br>We concur: Scotland, P.J.<br>Blease, J.  | <b>(Not for Publication)</b> |
| <b>C033928</b> | <b>THE PEOPLE v. SMITH</b><br>The order is affirmed.<br>CALLAHAN, J.<br>We concur: Scotland, P.J.<br>Blease, J.   | <b>(Not for Publication)</b> |
| <b>C034877</b> | <b>THE PEOPLE v. JONES</b><br>The judgment is reversed and remanded to the superior court to afford the defendant the opportunity to withdraw his plea. If he not does so move within 30 days of the filing of the remittitur, the trial court shall reinstate the judgment.<br>DAVIS, Acting P.J.<br>We concur: Raye, J.<br>Kolkey, J. | <b>(Not for Publication)</b> |
| <b>C035105</b> | <b>THE PEOPLE v. ANDERSON</b><br>The judgment is affirmed.<br>RAYE, Acting P.J.<br>We concur: Morrison, J.<br>Hull, J.  | <b>(Not for Publication)</b> |

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**May 8, 2001, continued**

- C035604      THE PEOPLE v. DECKER      (Not for Publication)**  
The judgment is affirmed. The trial court is directed to correct the minute order and order of probation dated May 5, 2000, to reflect that the condition of probation in question is as follows: "Defendant shall not own or possess any firearms nor remain in any building or vehicle where any person has such a weapon, nor remain in the presence of any unlawfully armed person."  
                                 SCOTLAND, P.J.  
We concur:      Nicholson, J.  
                                 Morrison, J.
- C035714      GARWOOD v. SOMMERS et al.      (Not for Publication)**  
The judgment is affirmed. Defendants shall receive their costs on appeal.  
                                 SIMS, J.  
We concur:      Scotland, P.J.  
                                 Davis, J.
- C035344      In re CYNAEJHAU L. et al.; SACRAMENTO COUNTY DEPARTMENT  
OF HEALTH AND HUMAN SERVICES v. CYNEQUIA J.  
                                 (Not for Publication)**  
The orders are affirmed.  
                                 RAYE, Acting P.J.  
We concur:      Morrison, J.  
                                 Hull, J.
- C035458      In re JOHN S.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES v. JOHN S.      (Certified for Publication)**  
The judgment is affirmed. (CERTIFIED FOR PUBLICATION.)  
                                 CALLAHAN, J.  
We concur:      Scotland, P.J.  
                                 Raye, J.
- C036358      THE PEOPLE v. GARCIA**  
BY THE COURT:  
Appellant's petition for rehearing is denied.  
                                 SCOTLAND, P.J.

**May 9, 2001**

- C033346      THE PEOPLE v. JACKSON      (Not for Publication)**  
The judgment (order) is affirmed.  
                                 HULL, J.  
We concur:      Nicholson, Acting P.J.  
                                 Callahan, J.

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Callahan, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**May 11, 2001, continued**

- C036181      THE PEOPLE v. DENNEY, JR.      (Not for Publication)**  
The judgment is affirmed.  
SIMS, J.  
We concur:    Scotland, P.J.  
                 Nicholson, J.
- C036704      THE PEOPLE v. BRAZELL      (Not for Publication)**  
The judgment is modified to stay the prison term for count two (possession of a sharp instrument while in prison) pending completion of defendant's sentence for count one (assault with a deadly weapon or instrument while in prison serving less than a life sentence). As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment in accordance with this opinion and to send an amended abstract to the Department of Corrections.  
SIMS, J.  
We concur:    Scotland, P.J.  
                 Nicholson, J.
- C037201      THE PEOPLE v. TAYLOR      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We concur:    Sims, J.  
                 Raye, J.
- C037334      THE PEOPLE v. SMITH      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We concur:    Sims, J.  
                 Raye, J.
- C035797      In re KEVIN C. et al.; DEPARTMENT OF HEALTH AND HUMAN  
SERVICES v. SHERRY W.      (Not for Publication)**  
The order denying visitation is reversed. The matter is remanded to the juvenile court for further proceedings consistent with this opinion. In all other respects, the judgment is affirmed.  
BLEASE, Acting P.J.  
We concur:    Sims, J.  
                 Callahan, J.

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**May 11, 2001, continued**

We concur:     Sims, J.  
                         Nicholson, J.